

CERTIFICATE OF EFS FILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being electronically transmitted to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:

Date: 10/10/2008 Name: Richard G. Lione, Reg. No. 19,795 Signature: /Richard G. Lione/

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Keita Nishino et al.

Appln. No.: 10/533,183

Filed: April 28, 2005

For: PROCESS FOR PRODUCING CARBAPENEM
COMPOUND FOR ORAL ADMINISTRATION

Docket No: 5404/104

Examiner: Mark L. Berch

Art Unit: 1624

Conf. No.: 4461

TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Attached is/are:

☒ Transmittal; and Request for Review of Patent Term Adjustment.

Fee calculation:

☒ No additional fee is required.

☐ Small Entity.

☐ An extension fee in an amount of \$_____ for a _____ month extension of time under 37 CFR § 1.136(a).

☐ A petition or processing fee in an amount of \$_____ under 37 CFR § 1.17(____).

☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	OR	Rate	Add'l Fee
Total		Minus			x \$26=			x \$52=	
Indep.		Minus			x 110=			x \$220=	
First Presentation of Multiple Dep. Claim						+\$195=		+\$390=	
					Total	\$		Total	\$

Fee payment:

☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____ for _____.

☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

10/10/2008
Date

/Richard G. Lione/
Richard G. Lione (Reg. No. 19,795)

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Case No. 5404/104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Keita Nishino et al.

Serial No: 10/533,183

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Examiner: Mark L. Berch

Group Art Unit: 1624

Conf. No.: 4461

REQUEST FOR REVIEW OF PATENT TERM ADJUSTMENT

MAIL STOP ISSUE FEE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

It has recently come to our attention that there may be an error in the patent term adjustment calculated by the U.S. Patent and Trademark Office for the above-referenced patent application. Specifically, the patent term adjustment pursuant to 35 U.S.C. 154(b) of **403** days indicated on the Determination of Patent Term Adjustment, PTOL-85, may extend the term of this patent by too many days. Please review the calculation of the patent term adjustment and make corrections, if necessary.

Respectfully submitted,

/Richard G. Lione/
Richard G. Lione
Attorney Reg. No. 19,795
Attorney for Applicant

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